

Message Text

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PAGE 01 TEHRAN 03245 060401Z
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C O N F I D E N T I A L TEHRAN 03245

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TAGS: PGOV SHUM IR
SUBJ: IRANIAN JUDICIAL SYSTEM AND THE NEW LIBERALIZATION

SUMMARY: IN LENGTHY DISCUSSION WITH SENIOR JUDICIAL OFFICIAL,
EMBOFF LEARNED THAT MINISTRY OF JUSTICE IS QUITE PLEASED WITH
ITS NEW AND EXPANDED ROLE IN DEALING WITH DISSENTERS.
ACCORDING TO SOURCE, ALL THE REST OF TABRIZ DEMONSTRATORS ARE
CURRENTLY SCHEDULED FOR CIVILIAN COURT TRIAL. END SUMMARY.

1. SENIORJUDICIAL OFFICIAL IN MINISTRY OF JUSTICE OUTLINED
TO EMBOFF APRIL 4 HIS MINISTRY'S PLEASURE AT THE DIRECTION
IRAN'S NEW LIBERALIZATION HAS TAKEN WITH RESPECT TO THE COURTS.
THE CURRENT TRIAL OF 16 UNIVERSITY OF TEHRAN POLITICAL SCIENCE
STUDENTS HAS BEEN A REAL EYE OPENER TO BOTH PROSECUTORS AND
JUDGES. THE STUDENTS WHO ARE REPRESENTED BY 42 LAWYERS HAVE
COME TO ACCEPT THE COURT'S AUTHORITY AND, ACCORDING TO A SENIOR
JUDGE ON THE CASE, "SEEMED TO HAVE LEARNED SOMETHING ABOUT
PROPER BEHAVIOR".

2. MINJUSTICE SOURCE ALSO SAID ALL TRIALS OF THOSE
ARRESTED FOR DISTURBANCES HAVE BEEN AND WILL BE OPEN TO
THE PUBLIC. IT HAS BEEN CLEAR FROM REACTION OF
DEFENDANTS THAT TRIAL IN CIVILIAN COURTS IS MUCH MORE
LIKELY TO TURN THEM INTO USEFUL CITIZENS THAN INCARCERATION
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PAGE 02 TEHRAN 03245 060401Z

AND TRIAL IN MILITARY COURT. IN SHORT, THERE IS LITTLE
BACKLASH FROM CIVILIAN COURT TRIALS THAT WOULD TURN STUDENTS
INTO "LIFE-LONG TERRORISTS".

3. MINISTRY SOURCE INDICATED THAT OF THOSE BROUGHT TO
TRIAL ABOUT A THIRD HAVE BEEN ACQUITTED AND MANY OF REST
HAVE RECEIVED SUSPENDED SENTENCES. ONLY THOSE WHO HAD

PAST RECORD OF TERRORISM OR CIVIL DISTURBANCE ACTIVITIES
WERE AT PRESENT GETTING JAIL SENTENCES.

4. THIS REINVIGORATED ROLE FOR THE MINISTRY OF JUSTICE
HAS PUT SOME PRESSURE ON ALREADY INADEQUATE STAFFING. TO
BEGIN ALLEVIATING THIS PROBLEM, MINISTRY HOPES TO OPEN
ITS POST GRADUATE COLLEGE OF LAW STUDIES IN ISFAHAN SOME-
TIME DURING THE CURRENT YEAR.

5. EMBASSY COMMENT: SOURCE'S REACTION TO EVENTS OF PAST
3-4 MONTHS CONFIRMS VIEWS WE HAVE HEARD FROM LOW LEVEL
JUDICIAL OFFICIALS THAT LEGAL OFFICIALS ARE VERY PLEASED
WITH REINVIGORATED ROLE OF CIVILIAN COURTS. WE WOULD HOPE
THOSE ORGANIZATIONS INTERESTED IN ROLE OF LAW AND HUMAN
RIGHTS WILL BE FINDING THIS OUT FOR THEMSELVES OVER COMING MONTHS.

6. MINJUSTICE SOURCE ALSO SAID THAT CASE AGAINST ARTIST ASHUR
BANIPAL BABILA (TEHRAN 3027) HAD BEEN DROPPED.
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